

**IN THE HIGH COURT OF UTTARANCHAL
AT NAINITAL**

Second Appeal No. 73/2006

Km. Kalawati Verma D/o Late Ghashita Singh
Tomar, R/o 221, Khurbura Mohalla,
Dehradun ... Appellant.

Vs

1. Smt. Urmila Devi W/o Satish Chand
R/o 14/10, Hanuman Chowk, Dehradun.
- 2- Rajiv Kumar S/o Satish Chand
R/o 14/10, Hanuman Chowk
Dehradun ... Respondents

Sri V.K. Kohli, learned Senior Advocate, assisted by Sri I.P. Kohli,
learned counsel for the appellant.

Sri Nagesh Aggarwal, learned counsel for the respondents.

Hon'ble B.C. Kandpal, J.

This second appeal has been preferred against the judgment and decree dated 29-7-2006, passed by Civil Judge (S.D.), Dehradun, in Civil Appeal No. 75/1998, whereby the appeals were dismissed and the judgment and decree dated 16-9-1998 passed by the I Addl. Civil Judge (J.D.), Dehradun in O.S. No. 428/1991 was confirmed.

2- At the outset it may be mentioned that the appellant earlier has filed S.A. No. 66/2006, against the same impugned judgment and decree dated 16-9-1998 passed by the Civil Judge (S.D.), Dehradun and this court vide judgment dated 18-10-2006 passed in S.A. No. 66/2005 has dismissed the appeal in limine. The controversy involved in the present appeal is squarely covered by the aforesaid judgment dated 18-10-2006 and the present appeal is also liable to be dismissed.

3- Accordingly this second appeal is dismissed in limine.

(B.C.Kandpal, J.)

Dated: October 19 , 2006

Aswal.